

FILED

AUG 28 2014

N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

CAROLINE ADESANYA, R.N.
License # No 26NO11137700

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Caroline Adesanya (Respondent) is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about December 6, 2012, an accusation was filed against Respondent alleging theft by deception, in that Respondent between October 7, 2009 and June 17, 2010 was charged with purposely obtaining benefits from the Monmouth County Division of Social Services in the amount of \$27,274.33 to which she was not entitled, i.e., purposely failing to report income, and obtaining unemployment insurance. Respondent entered a guilty plea to charges of theft by deception on July 29, 2013.
3. Respondent's nursing license had previously been revoked by means of a Final Order of Discipline filed on November 26, 2008, following her conviction on one count of bank fraud in violation of 18 U.S.C. §1344, for which she had been sentenced

to 24 months imprisonment and subsequently placed on supervised release.

Respondent's offense had consisted of depositing a counterfeit check for \$125,000 into the account of Angel Health Care, an entity which she controlled and monitored.

CONCLUSIONS OF LAW

Respondent's being found guilty of theft by deception subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(f) in that the underlying conduct upon which the finding was based constitutes an offense demonstrating moral turpitude and an offense relating adversely to the practice of nursing.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on November 1, 2013 seeking a five year suspension and a \$10,000 civil penalty. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order of Discipline. She maintained that the dates of the offense for which she was convicted in 2013 actually began in 2004 and continued until 2011 when she was informed that there had been an overpayment of benefits to her and her household. This shows that Respondent was engaged in the criminal conduct, unbeknownst to the Board, at the time her license was reinstated and placed on probation on November 26, 2008, and throughout the two year period of

probation. Had the Board known, the Board would have proceeded to automatically suspend Respondent's license for violating the terms of her probation by failing to obey all the laws of the State of New Jersey and the United States. Instead, because the Board was unaware that Respondent had been engaging in theft by deception during the period of her probation, the Board issued an Order terminating Respondent's probation on or about February 8, 2012.

Respondent maintains that she has advanced her education and obtained multiple certifications. Interestingly, Respondent has chosen to pursue an area of nursing within which the potential for a person to do significant financial harm exists – nursing home administration, home care, and care of the elderly. With Respondent's two convictions, it seems apparent that Respondent should not be trusted with financial matters of any magnitude, let alone those of an entire nursing home or assisted living facility. Respondent controlled and monitored a health care entity and was convicted of bank fraud and in relation thereto. Respondent's convictions are contrary to the path she has chosen – the potential for abuse is too high. Respondent maintains that she has never abused any particular patient, but her convictions demonstrate an abuse of the public's welfare.

Respondent provides numerous testimonials to show that she has been rehabilitated. When Respondent petitioned for reinstatement in 2008, she provided numerous testimonials at that time also. She also appeared before the Board and expressed remorse for her criminal conduct. The Board now knows that Respondent was engaged in further criminal conduct at that very time. Respondent is subject to enhanced penalties, pursuant to N.J.S.A. 45:1-25, for repeat violations.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Respondent has received a second conviction involving a significant amount of money. First, Respondent was convicted of bank fraud for depositing a \$125,000 counterfeit check into the account of a health care company which she controlled, and second, she has been convicted of theft by deception for obtaining \$27,274.33 in social service benefits to which she was not entitled. Respondent's convictions erode the public's trust in nurses.

ACCORDINGLY, IT IS on this 28th day of Aug., 2014,
ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended for a period of five years. Prior to entertaining any request for reinstatement, Respondent must appear before the Board, and demonstrate proof of rehabilitation which includes payment of all civil penalties imposed.

2. A \$10,000 civil penalty is hereby imposed. Payment shall be made by certified check or money order payable to "State of New Jersey," delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. The Board reserves the right to impose restrictions upon Respondent's license at the time of reinstatement, if ever granted.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Ann Murphy PLD, APN
Patricia Ann Murphy, PLD, APN
Board President